

CITY OF FRUITLAND PARK  
506 W BERCKMAN ST  
FRUITLAND PARK FL 34731

ORDINANCE 2014-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CREATING VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11 PURSUANT TO FLORIDA STATUTES 190.005; ENCOMPASSING PORTIONS OF LAND IN SECTIONS 5, 6, 7, 8, AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING FOR THE MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT; PROVIDING FOR THE NAME OF THE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR THE POWERS OF THE DISTRICT; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida legislature has passed the Uniform Community Development District Act of 1980 (otherwise known as Chapter 190, Florida Statutes) to provide an alternative method to finance and manage basic services for community development; and

WHEREAS, The Villages of Lake-Sumter, Inc., a Florida corporation, (the "Petitioner") the owner of 100% of the real property to be included in the District, has petitioned the City Commission of The City of Fruitland Park, Florida, to grant the establishment of the Village Community Development District No. 11 (the "District"); and

WHEREAS, Petitioner is a Florida corporation authorized to conduct business in the State of Florida; and

WHEREAS, a public hearing has been conducted by the City Commission pursuant to the requirements and procedures of Chapter 190, Florida Statutes and all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the petition at a duly noticed public hearing conducted by the Council on May 22, 2014; and

WHEREAS, the City Commission has considered the record of the public hearing and has decided that the establishment of the Village Community Development District No. 11 is the best alternative means to provide certain basic services to the community; and

WHEREAS, the City Commission finds that the establishment of the District is in the best interest of the citizens of The City of Fruitland Park.

NOW, THEREFORE, BE IT ORDAINED by City Commission of Fruitland Park, Florida, as follows:

Section 1. That the foregoing Preamble is hereby ratified and confirmed as true and correct by the City Commission of The City of Fruitland Park, Florida.

Section 2. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes (2013).

Section 3. That the petition to establish the Village Community Development District No. 11 is hereby granted, and there accordingly created a community development district situated entirely within

the municipal limits of the City of Fruitland Park, which shall be known as the Village Community Development District No. 11.

**Section 4.** That the external boundaries of the District and the real property within the external boundaries of the District which is to be excluded is described on *Exhibit A* attached.

**Section 5.** That the initial members of the Board of Supervisors shall be as follows:

John Wise  
Bob Thorne  
Scott Renick  
Bobby Hoopfer  
Scott Robertson

**Section 6.** That the District shall have those general powers enumerated in Section 190.011 F.S. and those special powers enumerated in Section 190.012(1) F.S. and 190.012(2) F.S.

**Section 7.** The District shall comply with F.S. Chapter 190, and all applicable federal, state, and regional laws, statutes, rules, and regulations and all applicable City of Fruitland Park provisions, ordinances, rules, and regulations.

**Section 8.** No debt, obligation, or duty of the District shall constitute a debt, obligation, duty, or burden of or on the City of Fruitland Park.

**Section 9.** The approval of this District in no way limits the City of Fruitland Park in the exercise of its powers or authority as provided in F.S. Chapter 165, or any other applicable Florida Statutes upon the lands within the District, as described in attached Exhibit "A." Further, the establishment of the District shall not affect any requirements for governmental approval of any construction within the District. Any master development agreement requirements and all state and local development regulations shall apply.

**Section 10.** The District shall comply with the disclosure of public financing and disclosure to purchaser requirements set forth in F.S. 190.009 and 190.048, as amended from time to time.

**Section 11.** The records of the District's Board of Supervisors shall be open for public inspection by any person at any reasonable time, pursuant to Chapter 119, Florida Statutes, and the said records shall be kept in the same manner and in the place mandated by law.

**Section 12.** That all ordinances or parts of ordinances in conflict herewith and the same are hereby repealed to the extent of such conflict.

**Section 13.** That if any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this ordinance.

**Section 14.** That this ordinance shall become effective in accordance with law.

PASSED THIS 22<sup>nd</sup> day of May, 2014.

PASSED AND ORDAINED this 22<sup>nd</sup> day of May, 2014, by the City Commission of the City of Fruitland Park, Florida.

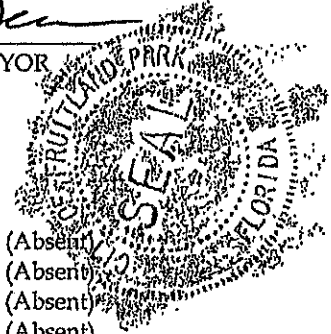
Attest:



Esther Coulson, CMC, City Clerk



CHRISTOPHER J. BELL, MAYOR

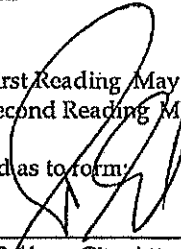


Vice Mayor Goldberg	<input checked="" type="checkbox"/> (Yes),	<input type="checkbox"/> (No),	<input type="checkbox"/> (Abstained),	<input type="checkbox"/> (Absent)
Commissioner Cheshire	<input checked="" type="checkbox"/> (Yes),	<input type="checkbox"/> (No),	<input type="checkbox"/> (Abstained),	<input type="checkbox"/> (Absent)
Commissioner Gunther	<input checked="" type="checkbox"/> (Yes),	<input type="checkbox"/> (No),	<input type="checkbox"/> (Abstained),	<input type="checkbox"/> (Absent)
Commissioner Kelly	<input checked="" type="checkbox"/> (Yes),	<input type="checkbox"/> (No),	<input type="checkbox"/> (Abstained),	<input type="checkbox"/> (Absent)
Mayor Bell	<input checked="" type="checkbox"/> (Yes),	<input type="checkbox"/> (No),	<input type="checkbox"/> (Abstained),	<input type="checkbox"/> (Absent)

Passed First Reading May 8, 2014

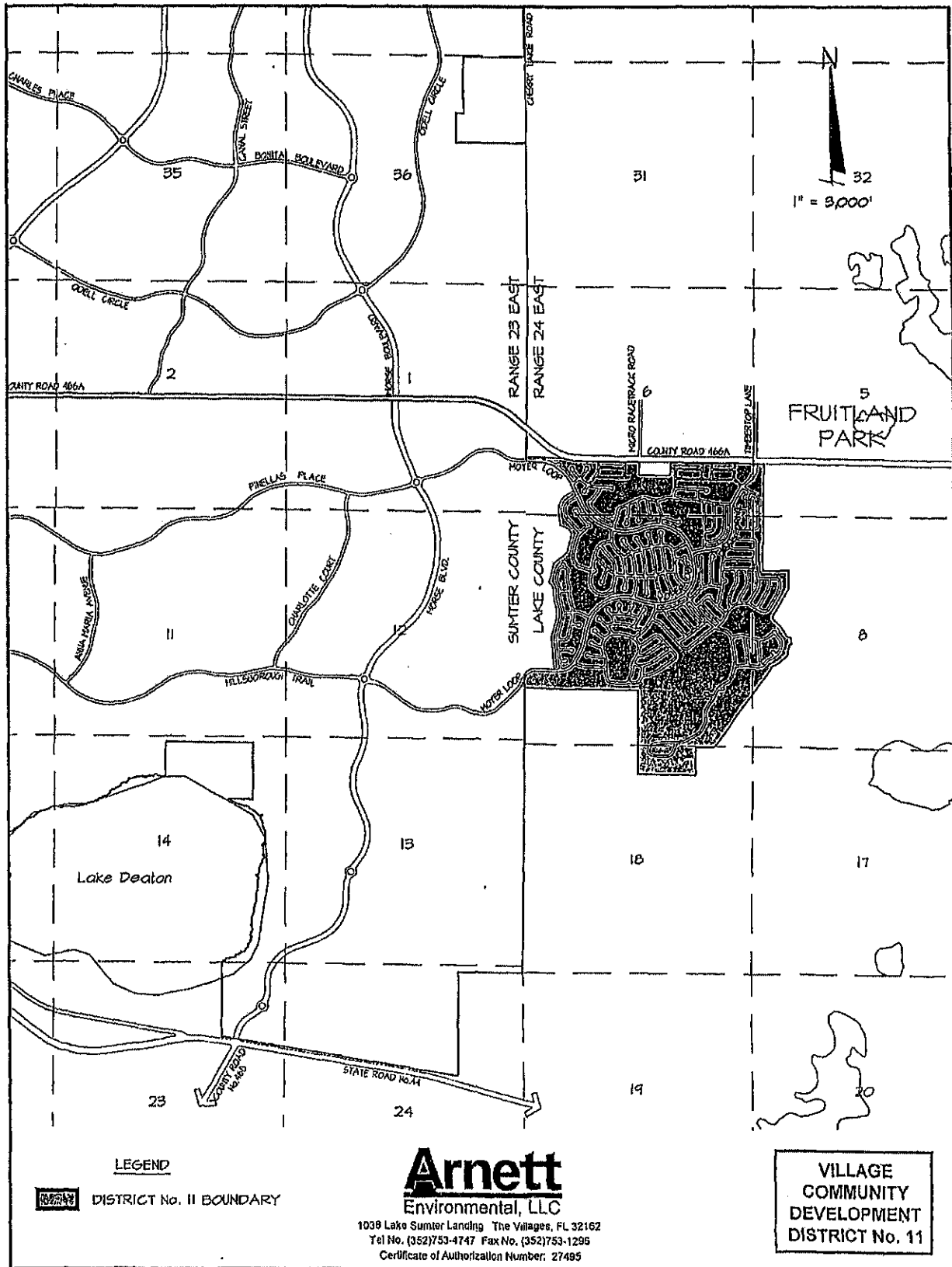
Passed Second Reading May 22, 2014

Approved as to form:



Scott A. Gerken, City Attorney

## EXHIBIT A



**EXHIBIT A****DESCRIPTION OF THE CREATION OF  
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11  
APPROXIMATELY 692.8 ACRES**

THAT LAND LYING IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6, RUN N00°42'56"E, ALONG THE WEST LINE THEREOF A DISTANCE OF 1,223.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°42'56"E, ALONG SAID WEST LINE A DISTANCE OF 103.98 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN S89°13'33"E, ALONG THE NORTH LINE OF SAID SOUTH 1/4 A DISTANCE OF 852.36 FEET TO A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALSO BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,489.39 FEET AND A CHORD BEARING AND DISTANCE OF S80°18'19"E, 468.53 FEET; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES: EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°05'57", A DISTANCE OF 470.48 FEET; THENCE S89°21'18"E, 675.67 FEET; THENCE CONTINUE ALONG THE EASTERLY EXTENSION THEREOF, DEPARTING SAID BOUNDARY, S89°21'18"E, 641.90 FEET TO THE WEST LINE OF THE EAST 22.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID WEST LINE S00°44'25"W, 295.96 FEET TO THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY EXTENSION AND THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO COURSES: S89°18'58"E, 727.40 FEET; THENCE N00°38'44"E, 295.93 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960; THENCE DEPARTING THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, RUN S89°14'18"E, ALONG SAID BOUNDARY LINE, THE EASTERLY EXTENSION THEREOF AND AGAIN ALONG SAID BOUNDARY LINE A DISTANCE OF 2179.52 FEET TO A POINT ON THE EAST LINE OF THE WEST 210.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE DEPARTING SAID BOUNDARY LINE, RUN S00°42'41"W, ALONG SAID EAST LINE A DISTANCE OF 1,271.43 FEET TO THE NORTHEAST CORNER OF THE WEST 210.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE S00°47'54"W, ALONG THE EAST LINE OF THE WEST 210.00 OF THE NORTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 595.02 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 595.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N89°39'50"W, ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE EAST LINE OF THE WEST 200.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8;

THENCE DEPARTING SAID SOUTH LINE, S00°47'54"W, ALONG SAID EAST LINE A DISTANCE OF 589.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 160.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, S89°40'49"E, ALONG SAID NORTH LINE A DISTANCE OF 611.54 FEET; THENCE DEPARTING SAID NORTH LINE, S00°46'30"W, 425.68 FEET; THENCE S31°15'56"W, 733.08 FEET; THENCE S00°47'54"W, 35.45 FEET; THENCE S43°54'50"E, 75.41 FEET; THENCE S49°19'38"E, 80.87 FEET; THENCE S45°31'17"E, 45.42 FEET; THENCE S57°57'35"E, 31.06 FEET; THENCE S27°16'42"E, 46.23 FEET; THENCE S36°00'06"E, 62.89 FEET; THENCE S26°28'20"E, 49.91 FEET; THENCE S32°28'21"E, 80.27 FEET; THENCE S29°57'55"E, 60.93 FEET; THENCE S75°47'10"E, 99.18 FEET; THENCE S07°22'59"E, 55.03 FEET; THENCE S04°58'53"E, 28.31 FEET; THENCE S03°51'23"E, 57.52 FEET; THENCE S03°23'32"W, 15.26 FEET; THENCE S75°48'45"W, 38.64 FEET; THENCE S12°05'00"W, 92.40 FEET; THENCE S24°08'42"W, 41.93 FEET; THENCE S11°20'47"W, 21.80 FEET; THENCE S00°21'45"W, 90.73 FEET; THENCE S40°46'06"W, 53.01 FEET; THENCE S53°05'55"W, 104.34 FEET; THENCE S49°53'36"W, 70.59 FEET; THENCE S48°18'47"W, 37.84 FEET; THENCE S61°43'23"W, 48.54 FEET; THENCE S62°49'12"W, 50.56 FEET; THENCE S59°14'26"W, 52.64 FEET; THENCE S70°58'32"W, 38.87 FEET; THENCE S35°38'27"W, 2,364.05 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE ALONG SAID SOUTH LINE, N89°06'25"W, 425.00 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID SOUTH LINE, RUN S00°39'15"W, ALONG THE EAST LINE OF SAID NORTH 1/2 A DISTANCE OF 663.97 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID EAST LINE, RUN N89°07'29"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 1,339.21 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°38'09"E, ALONG THE WEST LINE OF SAID NORTH 1/2 A DISTANCE OF 664.81 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE DEPARTING THE WEST LINE OF SAID NORTH 1/2, RUN N00°46'30"E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 1,320.73 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID WEST LINE, RUN N88°56'57"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 2,644.70 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°36'09"E, ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 344.28 FEET TO A POINT ON A NON-TANGENT CURVE; SAID CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 315.00 FEET, CHORD BEARING AND DISTANCE OF N65°44'11"E, 258.89 FEET, TO WHICH A RADIAL LINE BEARS N48°31'39"W; THENCE DEPARTING SAID WEST LINE RUN NORTHEASTERLY A DISTANCE OF 266.79 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 48°31'39" TO THE POINT OF TANGENCY; THENCE N90°00'00"E, 448.61 FEET; THENCE N03°14'11"W, 110.10 FEET; THENCE N05°03'54"W, 565.39 FEET; THENCE N03°02'08"E, 90.22 FEET; THENCE N14°52'03"E, 429.23 FEET; THENCE N14°51'03"E, 69.35 FEET; THENCE N03°39'24"E, 55.35 FEET; THENCE N13°56'20"W, 63.62 FEET; THENCE N15°40'33"W, 140.00 FEET; THENCE N13°39'39"W, 77.86 FEET; THENCE N08°34'04"W, 78.95 FEET; THENCE N03°24'28"W, 78.96 FEET; THENCE

N00°08'42"E, 71.92 FEET; THENCE N05°15'50"W, 57.67 FEET; THENCE N24°00'12"W, 66.30 FEET; THENCE N44°16'41"W, 103.06 FEET; THENCE N15°15'51"E, 431.79 FEET; THENCE N51°33'04"E, 359.26 FEET; THENCE N40°15'33"E, 96.40 FEET; THENCE N12°13'19"E, 407.50 FEET; THENCE N25°00'16"W, 60.75 FEET; THENCE N39°24'48"W, 70.00 FEET; THENCE N59°13'55"W, 73.36 FEET; THENCE N70°10'27"W, 141.07 FEET; THENCE N07°46'21"W, 229.71 FEET; THENCE N02°53'29"W, 103.16 FEET; THENCE N04°11'58"E, 93.01 FEET; THENCE N16°46'45"E, 97.90 FEET; THENCE N27°10'50"E, 101.34 FEET; THENCE N47°22'37"E, 83.02 FEET; THENCE N52°10'47"E, 80.36 FEET; THENCE N60°30'54"E, 177.38 FEET; THENCE N23°33'29"W, 164.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 720.00 FEET; THENCE RUN NORTHWESTERLY, A DISTANCE OF 365.22 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 29°03'47" TO THE POINT OF TANGENCY; THENCE N52°37'17"W A DISTANCE OF 139.01 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 670.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°54'33", AN ARC DISTANCE OF 69.10 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°58'19", AN ARC DISTANCE OF 57.45 FEET TO THE POINT OF TANGENCY; THENCE N69°30'10"W, 10.66 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 486.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°06'24", AN ARC DISTANCE OF 85.73 FEET TO THE POINT OF TANGENCY; THENCE N79°36'34"W, 89.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 650.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°39'58", AN ARC DISTANCE OF 109.66 FEET TO THE POINT OF TANGENCY; THENCE N89°16'31"W, 55.09 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 314.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'41", AN ARC DISTANCE OF 56.78 FEET TO THE POINT OF TANGENCY; THENCE N78°54'51"W, 55.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'41", AN ARC DISTANCE OF 54.25 FEET TO THE POINT OF TANGENCY; THENCE N89°16'31"W, 100.33 FEET TO THE POINT OF BEGINNING.

**PETITION TO ESTABLISH  
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11**

Petitioner, The Villages of Lake-Sumter, Inc., a Florida Corporation, petitions the City of Fruitland Park (hereinafter referred to as "City") pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes, to adopt an ordinance to establish a Uniform Community Development District and to designate the land area for which the District would manage and finance basic service delivery and states as follows:

1. Petitioner is a Florida corporation with its principal place of business at 1020 Lake Sumter Landing, The Villages, Florida 32162.

2. The land area to be served by the District comprises of 692.8 acres. A map showing the location of the land area to be serviced by the District is attached as *EXHIBIT 1*. All of the land in the proposed District is within the City of Fruitland Park, Florida.

3. A metes and bounds legal description and sketch of the external boundaries of the District is attached as *EXHIBIT 2*. Section 190.005(2)(a) and (1)(a)(1), Florida Statutes. There is no real property wholly within the external boundaries of the District, which is to be excluded from the District.

4. Attached as *EXHIBIT 3* is documentation constituting written consent to the establishment of the District by the owners of the real property to be included in and serviced by the District. Section 190.005(2)(a) and (1)(a)(2), Florida Statutes.

5. The five persons designated to serve as the initial members of the Board of Supervisors of the District are named in *EXHIBIT 4* attached hereto. Section 190.005(2)(a) and (1)(a)(3).

6. The proposed name of the District is Village Community Development District No. 11, Section 190.005(2)(a) and (1)(a)(4), Florida Statutes.

7. The major trunk water mains, sewer interceptors, and outfalls currently in existence on the property to be serviced by the District are identified on *EXHIBIT 5* attached hereto. Section 190.005(2)(a) and (1)(a)(5), Florida Statutes.



8. The proposed timetables and related estimates of cost to construct the District services and facilities, based upon available data, are attached as *EXHIBIT 6*. Section 190.005(2)(a) and (1)(a)(6), Florida Statutes.

9. All of the property in the District will be designated Planned Unit Development (PUD) pursuant to the development plan approved as part of the Villages of Fruitland Park, and related approvals of Notice of Proposed Change and Comprehensive Plan Amendment and Zoning Ordinance, collectively comprising the Development Order for said property pursuant to the provisions of Chapter 380 F.S., and under the City's Land use Element and Future Land Use Map, attached as *EXHIBIT 7*.

10. The Statement of Estimated Regulatory Cost of the granting of this Petition and the establishment of the District is attached as *EXHIBIT 8*. Section 190.005(2)(a) and (1)(a)(8), Florida Statutes.


**WHEREFORE**, Petitioner respectfully requests the City of Fruitland Park to:

A. Schedule a public hearing on May 22, 2014 to consider this Petition filed pursuant to the uniform procedures set forth in Section 190.005(2), Florida Statutes.

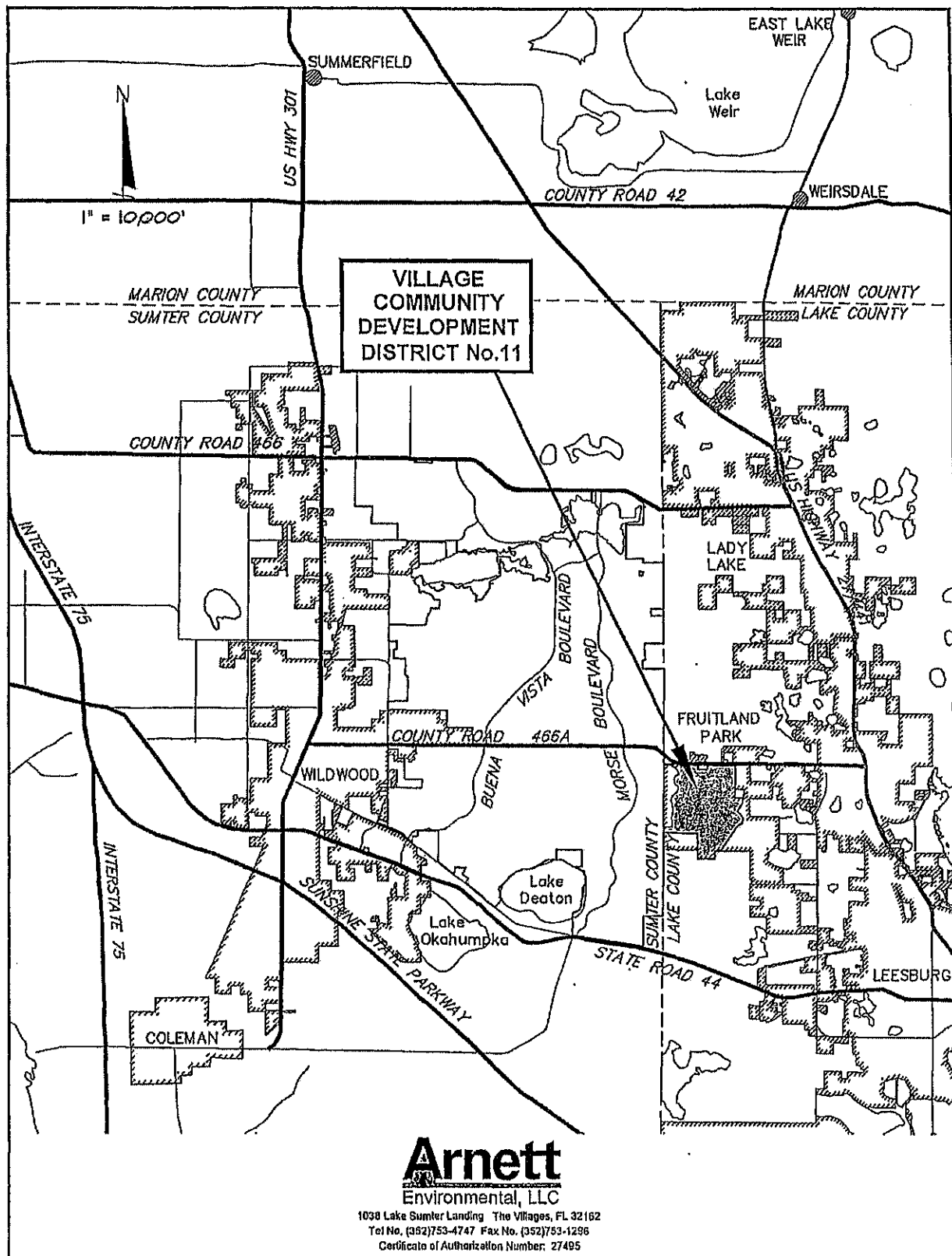
B. Grant the Petition and adopt an ordinance to establish the District and designate the land area to be serviced by the District, pursuant to Sections 190.005(2), Florida Statutes.

**RESPECTFULLY SUBMITTED** this 11th day of April, 2014.

**THE VILLAGES OF LAKE-SUMTER, INC.**

By: 

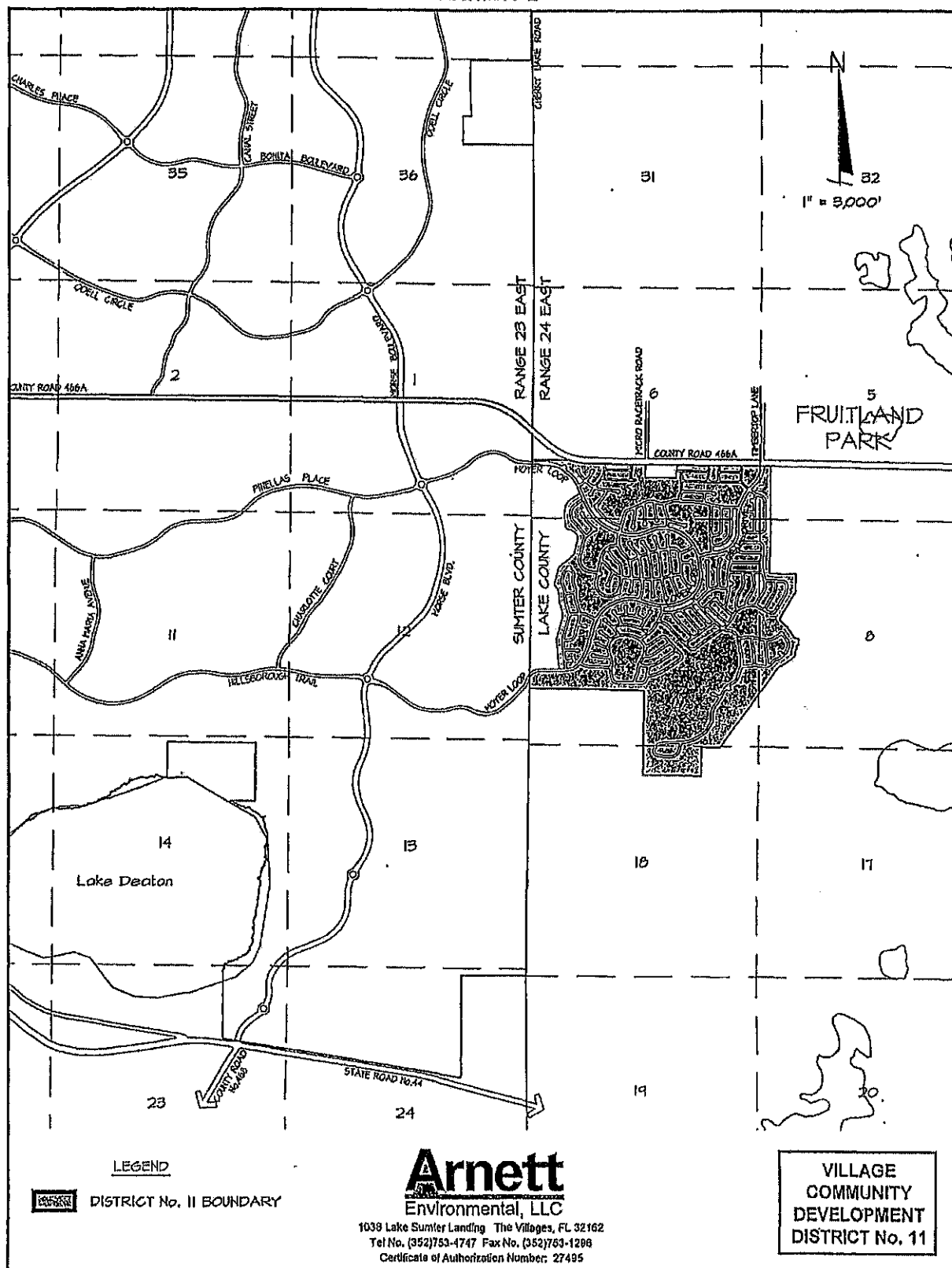
## EXHIBIT 1



GENERAL LOCATION MAP

1-1

## EXHIBIT 2



## EXHIBIT 2

DESCRIPTION OF THE CREATION OF  
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11  
APPROXIMATELY 692.8 ACRES

THAT LAND LYING IN SECTIONS 5, 6, 7, 8 AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 6, RUN N00°42'56"E, ALONG THE WEST LINE THEREOF A DISTANCE OF 1,223.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°42'56"E, ALONG SAID WEST LINE A DISTANCE OF 103.98 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/4 OF SAID SECTION 6; THENCE DEPARTING SAID WEST LINE, RUN S89°13'33"E, ALONG THE NORTH LINE OF SAID SOUTH 1/4 A DISTANCE OF 852.36 FEET TO A POINT ON THE BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, ALSO BEING A POINT ON THE ARC OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1,489.39 FEET AND A CHORD BEARING AND DISTANCE OF S80°18'19"E, 468.53 FEET; THENCE ALONG SAID LINE THE FOLLOWING TWO COURSES: EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18°05'57", A DISTANCE OF 470.48 FEET; THENCE S89°21'18"E, 675.67 FEET; THENCE CONTINUE ALONG THE EASTERLY EXTENSION THEREOF, DEPARTING SAID BOUNDARY, S89°21'18"E, 641.90 FEET TO THE WEST LINE OF THE EAST 22.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE ALONG SAID WEST LINE S00°44'25"W, 295.96 FEET TO THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID WESTERLY EXTENSION AND THE BOUNDARY OF SAID LANDS THE FOLLOWING TWO COURSES: S89°18'58"E, 727.40 FEET; THENCE N00°38'44"E, 295.93 FEET TO A POINT ON SAID SOUTHERLY BOUNDARY OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4271, PAGE 1960; THENCE DEPARTING THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3202, PAGE 129, RUN S89°14'18"E, ALONG SAID BOUNDARY LINE, THE EASTERLY EXTENSION THEREOF AND AGAIN ALONG SAID BOUNDARY LINE A DISTANCE OF 2179.52 FEET TO A POINT ON THE EAST LINE OF THE WEST 210.00 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE DEPARTING SAID BOUNDARY LINE, RUN S00°42'41"W, ALONG SAID EAST LINE A DISTANCE OF 1,271.43 FEET TO THE NORTHEAST CORNER OF THE WEST 210.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE S00°47'54"W, ALONG THE EAST LINE OF THE WEST 210.00 OF THE NORTHWEST 1/4 OF SAID SECTION 8 A DISTANCE OF 595.02 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 595.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, N89°39'50"W, ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE EAST LINE OF THE WEST 200.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID SOUTH LINE, S00°47'54"W, ALONG SAID EAST LINE A

DISTANCE OF 589.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 160.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 8; THENCE DEPARTING SAID EAST LINE, S89°40'49"E, ALONG SAID NORTH LINE A DISTANCE OF 611.54 FEET; THENCE DEPARTING SAID NORTH LINE, S00°46'30"W, 425.68 FEET; THENCE S31°15'56"W, 733.08 FEET; THENCE S00°47'54"W, 35.45 FEET; THENCE S43°54'50"E, 75.41 FEET; THENCE S49°19'38"E, 80.87 FEET; THENCE S45°31'17"E, 45.42 FEET; THENCE S57°57'35"E, 31.06 FEET; THENCE S27°16'42"E, 46.23 FEET; THENCE S36°00'06"E, 62.89 FEET; THENCE S26°28'20"E, 49.91 FEET; THENCE S32°28'21"E, 80.27 FEET; THENCE S29°57'55"E, 60.93 FEET; THENCE S75°47'10"E, 99.18 FEET; THENCE S07°22'59"E, 55.03 FEET; THENCE S04°58'53"E, 28.31 FEET; THENCE S03°51'23"E, 57.52 FEET; THENCE S03°23'32"W, 15.26 FEET; THENCE S75°48'45"W, 38.64 FEET; THENCE S12°05'00"W, 92.40 FEET; THENCE S24°08'42"W, 41.93 FEET; THENCE S11°20'47"W, 21.80 FEET; THENCE S00°21'45"W, 90.73 FEET; THENCE S40°46'06"W, 53.01 FEET; THENCE S53°05'55"W, 104.34 FEET; THENCE S49°53'36"W, 70.59 FEET; THENCE S48°18'47"W, 37.84 FEET; THENCE S61°43'23"W, 48.54 FEET; THENCE S62°49'12"W, 50.56 FEET; THENCE S59°14'26"W, 52.64 FEET; THENCE S70°58'32"W, 38.87 FEET; THENCE S35°38'27"W, 2,364.05 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE ALONG SAID SOUTH LINE, N89°06'25"W, 425.00 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID SOUTH LINE, RUN S00°39'15"W, ALONG THE EAST LINE OF SAID NORTH 1/2 A DISTANCE OF 663.97 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID EAST LINE, RUN N89°07'29"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 1,339.21 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°38'09"E, ALONG THE WEST LINE OF SAID NORTH 1/2 A DISTANCE OF 664.81 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 7; THENCE DEPARTING THE WEST LINE OF SAID NORTH 1/2, RUN N00°46'30"E, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 1,320.73 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; THENCE DEPARTING SAID WEST LINE, RUN N88°56'57"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 A DISTANCE OF 2,644.70 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 1/2; THENCE DEPARTING SAID SOUTH LINE, RUN N00°36'09"E, ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 344.28 FEET TO A POINT ON A NON-TANGENT CURVE; SAID CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 315.00 FEET, CHORD BEARING AND DISTANCE OF N65°44'11"E, 258.89 FEET, TO WHICH A RADIAL LINE BEARS N48°31'39"W; THENCE DEPARTING SAID WEST LINE RUN NORTHEASTERLY A DISTANCE OF 266.79 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 48°31'39" TO THE POINT OF TANGENCY; THENCE N90°00'00"E, 448.61 FEET; THENCE N03°14'11"W, 110.10 FEET; THENCE N05°03'54"W, 565.39 FEET; THENCE N03°02'08"E, 90.22 FEET; THENCE N14°52'03"E, 429.23 FEET; THENCE N14°51'03"E, 69.35 FEET; THENCE N03°39'24"E, 55.35 FEET; THENCE N13°56'20"W, 63.62 FEET; THENCE N15°40'33"W, 140.00 FEET; THENCE N13°39'39"W, 77.86 FEET; THENCE N08°34'04"W, 78.95 FEET; THENCE N03°24'28"W, 78.96 FEET; THENCE N00°08'42"E, 71.92 FEET; THENCE N05°15'50"W, 57.67 FEET; THENCE N24°00'12"W,

66.30 FEET; THENCE N44°16'41"W, 103.06 FEET; THENCE N15°15'51"E, 431.79 FEET; THENCE N51°33'04"E, 359.26 FEET; THENCE N40°15'33"E, 96.40 FEET; THENCE N12°13'19"E, 407.50 FEET; THENCE N25°00'16"W, 60.75 FEET; THENCE N39°24'48"W, 70.00 FEET; THENCE N59°13'55"W, 73.36 FEET; THENCE N70°10'27"W, 141.07 FEET; THENCE N07°46'21"W, 229.71 FEET; THENCE N02°53'29"W, 103.16 FEET; THENCE N04°11'58"E, 93.01 FEET; THENCE N16°46'45"E, 97.90 FEET; THENCE N27°10'50"E, 101.34 FEET; THENCE N47°22'37"E, 83.02 FEET; THENCE N52°10'47"E, 80.36 FEET; THENCE N60°30'54"E, 177.38 FEET; THENCE N23°33'29"W, 164.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 720.00 FEET; THENCE RUN NORTHWESTERLY, A DISTANCE OF 365.22 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 29°03'47" TO THE POINT OF TANGENCY; THENCE N52°37'17"W A DISTANCE OF 139.01 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 670.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°54'33", AN ARC DISTANCE OF 69.10 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°58'19", AN ARC DISTANCE OF 57.45 FEET TO THE POINT OF TANGENCY; THENCE N69°30'10"W, 10.66 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 486.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°06'24", AN ARC DISTANCE OF 85.73 FEET TO THE POINT OF TANGENCY; THENCE N79°36'34"W, 89.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 650.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°39'58", AN ARC DISTANCE OF 109.66 FEET TO THE POINT OF TANGENCY; THENCE N89°16'31"W, 55.09 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 314.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'41", AN ARC DISTANCE OF 56.78 FEET TO THE POINT OF TANGENCY; THENCE N78°54'51"W, 55.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 300.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°21'41", AN ARC DISTANCE OF 54.25 FEET TO THE POINT OF TANGENCY; THENCE N89°16'31"W, 100.33 FEET TO THE POINT OF BEGINNING.

## EXHIBIT 3

**CONSENT TO THE ESTABLISHMENT OF  
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11**

The undersigned, being the owner of the property described in Exhibit 2 to the Petition to Establish Village Community Development District No. 11, hereby consents to the Petition to Establish Village Community Development District No. 11, dated the 10 of APRIL, 2014.

The Villages of Lake-Sumter, Inc.

By: 

Mark Morse

Its: President

**EXHIBIT 4****BOARD OF SUPERVISORS****VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11**

(To be completed by Petitioner prior to final submittal)

1. John Wise – 1020 Lake Sumter Landing, The Villages, FL 32162
2. Bob Thorne – 1020 Lake Sumter Landing, The Villages, FL 32162
3. Scott Renick – 1020 Lake Sumter Landing, The Villages, FL 32162
4. Bobby Hoopfer – 1020 Lake Sumter Landing, The Villages, FL 32162
5. Scott Robertson – 1020 Lake Sumter Landing, The Villages, FL 32162



**EXHIBIT 5**

There are no major trunk water mains, sewer interceptions or outfalls currently in existence on the property to be serviced by the District

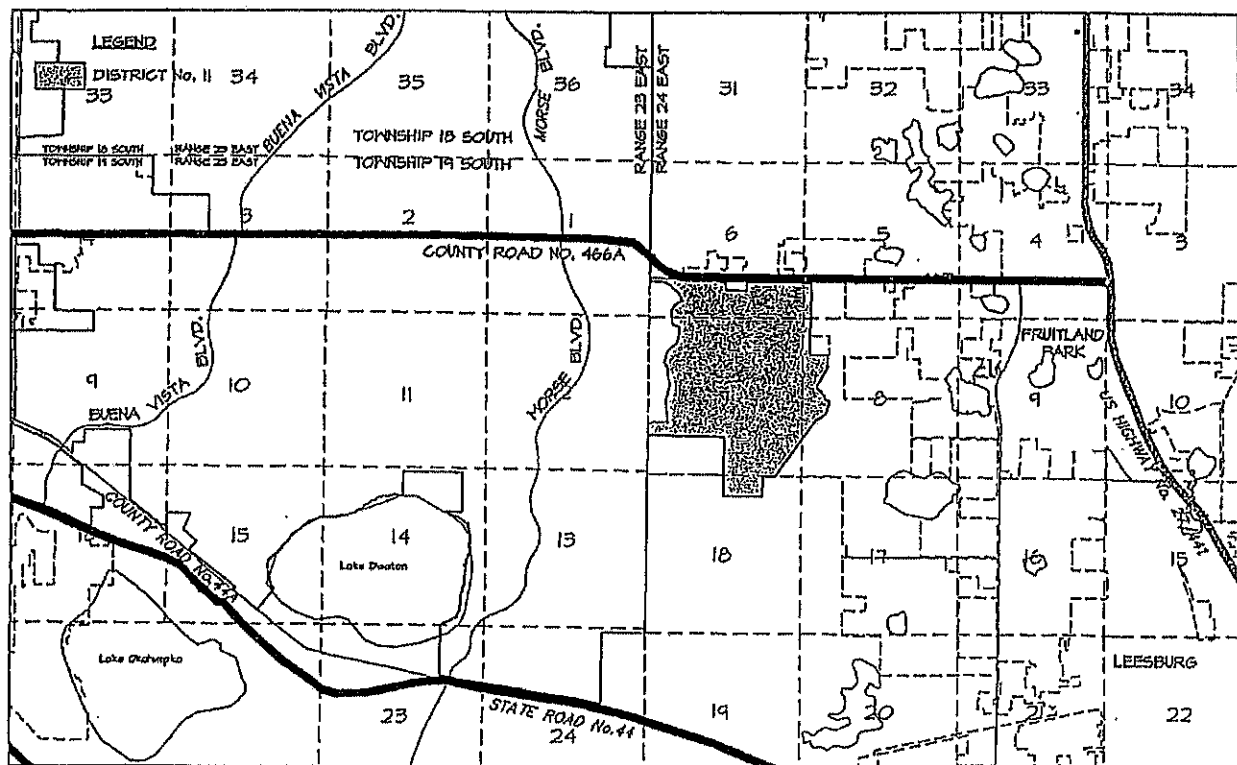
## Exhibit 6

PROPOSED TIME TABLES AND RELATED ESTIMATES OF COST  
OF DISTRICT SERVICES AND FACILITIES  
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11

<u>ITEM</u>	<u>ANTICIPATED SCHEDULE</u>	<u>ESTIMATED COST</u>
Subdivision Infrastructure Roads & Drainage	2014 - 2015	\$12,100,000
Collector Road Infrastructure Roads & Drainage	2014 - 2015	\$3,800,000
Landscaping & Irrigation in Common Areas <sup>1</sup>	2014 - 2015	\$2,000,000
Master Earthwork for Stormwater Collection System	2014 - 2015	\$22,100,000
Collector Road Traffic Signal	2014 - 2015	\$200,000
TOTAL:		\$40,200,000

## EXHIBIT 7

Currently, Lake County Rural pending approval of Fruitland Park's Comprehensive Plan in which the Villages of Fruitland Park Land Use Plan, Zoning and NOPC Development Order will supersede the current plan.



## EXHIBIT 8

## STATEMENT OF ESTIMATED REGULATORY COSTS

ESTABLISHMENT OF VILLAGE COMMUNITY  
DEVELOPMENT DISTRICT No. 11

## 1.0 Introduction

## 1.1 Purpose and Scope

This statement of estimated regulatory costs (SERC) supports the petition to establish Village Community Development District No. 11 (the "District"). The proposed District will include approximately 693 +/- acres of land on which 2,050 dwelling units are planned for development. The district proposes to provide infrastructure and community services to this area in the District as described more fully below.

The limitations on the scope of this SERC are explicitly set out in Section 190.002(2)(d), F.S. as follows (emphasis added):

"That the process of establishing such a district pursuant to uniform general law shall be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant."

## 1.2 Overview of the proposed District No. 11

The proposed District would provide community infrastructure, services, and facilities, along with their operations and maintenance, to a portion of the Villages of Fruitland Park, one of the family of five "Villages" communities under development by The Villages of Lake-Sumter, Inc. (the master developer of The Villages). The proposed Village Community Development District No. 11 will encompass 693 acres to be used exclusively for residential development. Table 1 below summarizes the land use plan for the District.

**Table 1. Residential Development Planned for  
Village Community Development District No. 11**

<u>Category</u>	<u>Quantity</u>
Courtyard Villa	191
Standard Homesite	1,727
Premium Homesite	132
<b>Total Residences</b>	<b>2,050</b>

**1.3 Requirements for Statement of Estimated Regulatory Costs**

Section 120.541(2), F.S. (2012) defines the elements a statement of estimated regulatory costs must contain:

- (a) An economic analysis showing whether the rule directly or indirectly:
  - 1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;
  - 2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or
  - 3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- (b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.
- (c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.
- (d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable

based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

- (e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses.
- (f) Any additional information that the agency determines may be useful.
- (g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

**2.0 An economic analysis showing whether the rule directly or indirectly will have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs**

Florida Statutes 120.541(2)(a) requires an economic analysis showing whether the establishment of the District will directly or indirectly will have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs exceeding \$1 million in the aggregate within 5 years after the establishment occurs. The simple answer is that the establishment of the District will not have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs.

The District's establishment is overwhelmingly likely to increase economic growth, job creation, employment, private sector investment, and business competitiveness. This is because the District will provide infrastructure

improvements within and surrounding the District's boundaries, allowing for the development of the land within the District. This development is planned to include 2,050 new residences. The residents of the District will require goods and services. This new demand created by the District's residents will increase economic growth, job creation, employment, private sector investment, and business competitiveness in the areas surrounding the District.

The District will have the ability to assess its property owners to pay for the installation, operation, and maintenance of its infrastructure improvements. However, such costs will not be in addition to, or unique to the District. The infrastructure improvements to be funded by the District would be required to support development of the planned 2,050 residences, regardless of the District's existence. Community development districts such as the proposed District can fund their infrastructure improvements with long-term bond financing that typically carries more favorable terms than other sources of funding. Thus, the costs related to the installation of the public infrastructure serving the planned new development will not be increased due to the existence of the District.

- 3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.**

As noted above, the proposed District encompasses 693 +/- acres. The District's landowner plans to develop 2,050 dwelling units on this property. Formation of the proposed District would put all of these landowners under the jurisdiction of the proposed District. Of course, prior to the sale of the property within the District, the developer will also be subject to the District's jurisdiction.

- 4.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state and local revenues.

4.1 Impact on State and Local Revenues

State Government Entities

There will be only modest costs to various Florida ("State") governmental entities due to the formation of the District. The District consists of less than 1,000 acres, therefore The City of Fruitland Park (the "City") is the establishing entity, pursuant to Florida Statutes Section 190.005(2). The State will incur no costs in reviewing the petition to establish the District and the State will not be required to hold any public hearings on the matter.

The ongoing costs to various State entities to implement and enforce the establishment of the District relate strictly to the receipt and processing of various reports that the District is required to file annually with the State and its various entities. These annual reports are outlined in the attached Appendix. However, the costs to the State agencies that will receive and process the District's reports will be minimal. The District is only one of many governmental subdivisions required to submit various reports to the State. Additionally, pursuant to Section 189.412 of the Florida Statutes, the District will pay an annual fee to the State Department of Economic Opportunity to offset such processing costs.

The City of Fruitland Park

City staff will process, analyze, and conduct public hearing(s) on the petition to establish the District. These activities will absorb the time of the City staff and City Commissioners. However, these costs to the City are likely to be minimal for a number of reasons. First, review of the petition does not include analysis of the development to be served by the District. Second, the petition itself provides most of the information needed for City staff's review. Third, the City currently employs the staff needed to conduct the review of the petition. Fourth, no capital expenditure is required to review the petition. Finally, local governments routinely process similar petitions for land use and zoning changes that are more complex than is the petition to establish a community development district.



The annual costs to the City, related to the continued existence of the District, are also minimal and within the control of the City. The District will be an independent unit of local government. The only annual costs incurred by the City will be the minimal costs of receiving and, to the extent desired, reviewing the various reports that the District is required to provide to the City.

#### 4.2 Impact on State and Local Revenue

Adoption of the proposed ordinance will have no negative impact on State or local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. It has its own sources of revenue. No State or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District to construct its infrastructure, or for any other reason, are not debts of the State, the City, or any unit of local government. By State law, the debts of the District are strictly its own responsibility.

#### 5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule.

Table 2 provides an outline of the various facilities and services the proposed District may provide. The District plans to fund, own, operate and maintain certain drainage and stormwater systems, landscaping, and lakes. The District will also plan, construct and finance some of the community's roadways. The roadways and drainage systems within publicly-dedicated rights of way will be conveyed to The City of Fruitland Park for operations and maintenance. Other roadways will be owned and maintained by the District. The landowner will provide the utilities, amenities, and other community infrastructure and facilities. The District will be responsible for maintenance of these facilities.

Table 2. Proposed Facilities and Services

<u>Improvement/Facility</u>	<u>Funded By</u>	<u>O&amp;M By</u>	<u>Ownership</u>
Roads	Landowner/CDD	CDD/City	CDD/City
Utilities	Landowner	Landowner	Landowner
Amenities	Landowner	CDD	CDD/Landowner
Drainage	CDD	CDD	CDD
Landscape/Lakes	CDD	CDD	CDD

The petitioner has estimated the costs for providing the capital improvements and facilities outlined in Table 2. The cost estimates for these improvements and facilities are shown in Table 3, below. Total costs are estimated at approximately \$40,200,000. To fund these improvements, the District may issue special assessment or other revenue bonds. These bonds would be repaid through non-ad valorem assessments levied on all properties located within the boundaries of the District that benefit from these improvements.

Table 3. Summary of Estimated Capital Costs

<u>Improvement</u>	<u>Est. Schedule</u>	<u>Est. Cost</u>
Subdivision Infrastructure Roads and Drainage	2014 - 2015	\$12,100,000
Collector Road Infrastructure Roads and Drainage	2014 - 2015	\$3,800,000
Landscaping and Irrigation in Common Areas	2014 - 2015	\$2,000,000
Master Earthwork for Stormwater Collection System	2014 - 2015	\$22,100,000
Collector Road Traffic Signal	2014 - 2015	<u>\$200,000</u>
<b>Total</b>		<b>\$40,200,000</b>

Prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred by the District through one or more bond issuances. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

It is important to note that the various costs outlined in Table 3 are typical for developments of the type contemplated here. In other words, there is nothing peculiar about the District's financing that requires additional infrastructure over and above what would normally be needed. Therefore, these costs are not in addition to normal development costs. Instead, the facilities and services provided by the District are substituting in part for developer provided infrastructure and facilities. Along these same lines, District imposed assessments for operations and maintenance cost are similar to what would be charged in any event by a property owner's association common to most master planned developments.

Real estate markets are quite efficient, because buyers and renters evaluate all of the cost and benefits associated with various alternative locations. Therefore, market forces preclude developers from marking up the prices of their products beyond what the competition allows. To remain competitive the operations and maintenance charges must also be in line with the competition.

Furthermore, locating in the District by new residents is completely voluntary. So, ultimately, all owners and users of the affected property choose to accept the District's costs in tradeoff for the benefits that the District provides.

The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal services taxing unit (MSTU), a neighborhood association, City provision (directly or via a dependent special district), or through developer-bank loans.

**6.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.**

There will be no adverse impact on small businesses because of establishment of the District. If anything, the impact will be positive. This is because the District must competitively bid certain of its contracts. This affords small businesses the opportunity to bid on District work.

Fruitland Park has an estimated population of less than 10,000, according to the most recent federal census (2010). Therefore, the City is defined as a "small" City according to Section 120.52 of the Florida Statutes. However, as noted above, there will be no adverse impact on the City due to the creation of the District. The District will provide infrastructure facilities and services to the property located within the District. These facilities and services will help make this property developable. Development of the property within the District will increase the value of this property and, consequently, increase the property taxes that accrue to the City. These increased property taxes (along with other direct and indirect revenues accruing to the City as a result of the development of the land within the District) will offset any new staff, facilities, or equipment the City adds to provide services to the property owners within the District.

#### **7.0 Any additional useful information.**

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Developer's Engineer and other professionals associated with the Developer.

Finally, it is useful to reflect upon the question of whether the District is the best alternative to provide community facilities and services to the Development. As an alternative to the District, the City could approve a dependent special district for the area, such as an MSBU or a special taxing district under Chapter 170 of the Florida Statutes. Either of these alternatives could finance the improvements contemplated in Table 2 in a fashion similar to the proposed District.

However, unlike the District, the alternatives would require the City to continue to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be sequestered to the land directly benefiting from them, as the case would be with the District. In addition, administering a project of the size and complexity of the development program anticipated for the District is very significant and expensive undertaking.

With a District, residents and renters within the District would have a focused unit of government under their direct control. The District can

then be more responsive to resident needs without disrupting other City responsibilities.

Third, any debt of a District is strictly the District's responsibility. While it may be technically true that the debt of the City-established, dependent special district, is not strictly the City's responsibility, any financial problems that the special District may have will inevitably entangle the City. This will not be the case if the District is established as proposed.

Another alternative to the District would be for the developer to provide the infrastructure and to use a property owners association (POA) for operations and maintenance of community facilities and services. A District is superior to a POA for a variety of reasons. First, unlike a POA a District can impose and collect its assessments along with other property taxes. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Second, the proposed District is a unit of local government. Therefore, unlike the POA the District must abide by all governmental rules and regulations.

By [Signature], Deputy Clerk 2/13/2015 10:20:59 AM